



UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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DAVID J. CORTESE,

Plaintiff,

v.

WEGMANS FOOD MARKETS, INC.,

Defendant.

Civil Action No.:

6:20-cv-07128-FPG-MJP

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**STIPULATION AND ORDER OF DISMISSAL WITH PREJUDICE**

IT IS HEREBY AGREED AND STIPULATED by Plaintiff David J. Cortese and Defendant Wegmans Food Markets, Inc., by and through their undersigned counsel, that whereas no party hereto is an infant or incompetent person, that pursuant to Rule 41 of the Federal Rules of Civil Procedure, the above captioned lawsuit, including any and all claims and defenses of the parties, is hereby dismissed with prejudice, with each party to bear its own costs and fees incurred in connection with this action.

**Harter Secrest & Emery LLP**

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IT IS SO ORDERED.

Dated: December 17, 2021

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Hon. Frank P. Geraci, Jr.  
United States District Court Judge  
Western District of New York